

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SUNSHINE LITREENA
WILLIAMS, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KATREENA VINES,

Respondent-Appellant,

and

MARKELL ANTONIO WILLIAMS-BEY,

Respondent.

UNPUBLISHED

January 22, 2004

No. 250348

Wayne Circuit Court

Family Division

LC No. 95-333973

Before: Donofrio, P.J., and Griffin and Jansen, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), (h), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that § 19b(3)(c)(i), (g), and (j) were established by clear and convincing evidence.¹ MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The child was placed into foster care because respondent-appellant was incarcerated and unable to care for her. Although respondent-appellant was released from prison in August 2002, she was returned to prison approximately six weeks later after violating her parole. Respondent-appellant remained

¹ The trial court did clearly err in finding that § 19b(3)(h) was established because respondent-appellant's release date from prison was uncertain.

incarcerated at the time of the termination hearing. Sunshine, who was approximately three and a half years old, had been in foster care for approximately seventeen months at that point and had spent other portions of her young life in the care of others during respondent-appellant's previous incarcerations.

Further, the evidence did not show that the termination of respondent-appellant's parental rights was clearly not in the best interests of the child. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Pat M. Donofrio
/s/ Richard Allen Griffin
/s/ Kathleen Jansen